

PATENT

Practitioner's Docket No. 2373C/112

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hans-Gunther Rosenkranz, Dmitri Shmatkov and Mark Frederick Armstrong

Application No.: 10/563,400 Group No.: 3617

Filed: 01/06/06 Examiner: Avila, Stephen

For: Marine Propulsion System

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTIFICATION OF ERROR IN PAYMENT OF FEE(S) AS A SMALL ENTITY  
(37 C.F.R. § 1.28(c))

## Erroneous Filing of Small Entity Statement

1. On January 6, 2006, a small entity assertion was erroneously filed in this application.
2. This assertion of small entity status in this application and the payment of fee(s) as a small entity was/were made in good faith.
3. It has now been established that such status as a small entity was established in error in good faith as follows:

Applicant erroneously in good faith believed itself entitled to small entity status, and has now discovered that this is not so.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date: September 19, 2006

Signature

Timothy M. Murphy

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**Itemization of the Fee(s) Erroneously Paid as Small Entity**

4. FEE(S) ERRONEOUSLY PAID AS A SMALL ENTITY	CURRENT FEE DUE	FEE ACTUALLY PAID AS A SMALL ENTITY	DEFICIENCY OWED
Filing fee paid on January 6, 2006.	\$1,700.00	\$850.00	\$850.00

**Total deficiency owed \$850.00**

**Payment of Deficiency**

5. The total deficiency owed is paid as follows:

Attached is a check in the amount of \$850.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 19-4972.

A duplicate of this paper is attached.

Date: September 19, 2006



---

Timothy M. Murphy  
Registration No. 33,198  
BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110-1618  
US  
617-443-9292  
Customer No. 02101

02373/00112 547074.1